



Welcome to the Seattle Arts Commission!

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About The Seattle Arts Commission

The 16-member Seattle Arts Commission, citizen volunteers appointed by the mayor and City Council, supports the ARTS office. Commission members include artists, arts professionals and other citizens with diverse backgrounds and strong links to Seattle's arts community. The mayor appoints seven of the commissioners; the City Council appoints seven, and a 15th member is selected by those 14. An additional commissioner is selected through the YMCA's "Get Engaged" program.

Mission

The Seattle Arts Commission supports the City by advocating for arts policy, creating access for equitable participation in the arts, and fostering enriching arts engagement for all residents.

Commitment to Racial Equity

The Seattle Arts Commission emphatically shares the Office of Arts & Culture's [Commitment to Racial Equity](#). As an advisory body grounded in our common pledge to fostering racial and social justice, we leverage our collective strength and breadth of knowledge to advocate for racial equity in arts policy, programming and funding. We do this work by centering communities of color in our united effort with the City to help build a just and liberated society for all.

Meetings

The Seattle Arts Commission remotely meets on the second Tuesdays of every month at 4pm, unless otherwise noted.

						America n		Native					
Mayor	2	6				2	1			5			2
Council	2	3		1	1	1	1		1				
Other		1			1								
Total	4	10		1	2	3	2		1	5			2

Key:

***D** List the corresponding *Diversity Chart* number (1 through 9)

****G** List *gender*, **M** = Male, **F**= Female, **T**= Transgender, **U**= Unknown, **O**= Other

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.

Committee Structure

Seattle Arts Commission

Facilities and Equitable Development Committee (Lead: Ebony Arunga & Chieko Phillips)

The Facilities and Equitable Development Committee advises the work of the Office of Arts & Culture (ARTS) around issues of cultural space and its impact on equitable development.

For the purposes of this committee, equitable development:

- **Calls on the strengths** of the communities to invest in, build, and sustain wealth within communities.
- **Acknowledges 6% of cultural space represent communities of color and works to rectify** the impacts of systemic disenfranchisement, racism, displacement, and lack of investment within policies and practices of land ownership and economic development, specifically for generations of BIPOC communities.
- **Makes reparative investments** in communities that have been inequitably invested in. These investments prioritize solutions that are self-determined by communities, narrow wealth gaps for BIPOC communities, build community wealth, placekeeping, and reclaim space for those already displaced.

Cultural Investments Committee (Lead: Holly Jacobson & Kayla DeMonte)

The Cultural Investments Committee—comprised of Arts Commissioners, ARTS staff, and community members—supports Seattle’s arts sector by:

- Providing guidance and feedback on ARTS’ racially equitable grant processes & investment strategies
- Advocating for equitable, accessible, and inclusive cultural investments in support of the Seattle ARTS Office and the arts sector in our city and region

Public Art Advisory Committee (Interim Lead: Vivian Hua)

The Public Art Advisory Committee (PAAC) serves to review and recommend public art projects and programs, develop and amend the Municipal Art Plan, and advocate for percent-for-art projects in public/private partnerships. The PAAC operates, promotes, and supports the development of art in public places including parks, libraries, community centers, roadways, bridges, and other public venues to enrich citizens' daily lives and give voice to artists.

Definition of a City Board / Commission

- The City does not differentiate between "board" and "commission" and generally uses the terms interchangeably. This appears to be true at the State level as well.
- While we understand that many Arts Commissioners may have served or are serving on non-profit organization boards, there are key differences in the roles and responsibilities between those of a non-profit board and a City commission/board.
 - The purpose of a non-profit board is to ensure the success of its organization by determining a mission, providing financial oversight, ensuring adequate resources, ensuring legal integrity, and ensuring effective organizational planning.
 - The purpose of a City commission/board is to provide advice to the City regarding a specific sector's needs, programs, or policies. Unlike a non-profit board, a City commission/board is an independent advisory body that does not report to or need to always be in concert with the Mayor. Serving the public interest should be its top priority. A City commission/board has the agency to work on behalf of the community they represent.
- Below is language from the State's [Boards and Commissions Membership Handbook](#) that also applies to the advisory role of boards and commissions at the City level:
 - *The Advisory Role: Members of advisory bodies provide an important link among the public and agencies, the Legislature and the Governor. The information that members provide about community needs and opinions can have a profound effect on state policies and lead to better service. Advisory board members play a very special role in creating recommendations on important societal and governmental issues. If you are appointed as a member of an advisory board, you will be expected to:*
 - *Interpret community opinions, attitudes and needs to agencies, the Legislature and the Governor.*
 - *Study programs and services and analyze issues and needs.*
 - *Offer proposals and recommend changes in programs, policies and standards.*
 - *Provide the public with information and interpretation of department and state policies, programs and budgets.*
 - *Advisory boards support and counsel departmental and gubernatorial staff. They make important recommendations about policy. Most advisory boards, however, do not create or administer policy, programs or services, unless this power is granted to them by their governing statute. When presenting recommendations to an agency, the Legislature or the Governor, it is essential that board members keep the following in mind:*
 - *Recommendations should be in written form.*
 - *Ideas should be expressed in clear and concise language.*
 - *Proposed solutions should be viable and cost-effective.*
 - *Recommendations should identify reasons for the changes suggested.*
 - *Advice should reflect the views of a consensus or a majority of board members.*
 - *Being an Effective Board Member: Despite the different sizes and types of Washington boards and commissions, it is imperative that board members recognize they are in a critical position to shape and influence board decisions and actions. It is important that each member keeps informed and up-to-date on issues, legislative activity and statutes affecting their board.*
 - *Attend all board meetings.*

- *Are well prepared for meetings.*
- *Recognize that serving the public interest is the top priority.*
- *Recognize that the board must operate in an open and public manner.*
- *Are knowledgeable about the legislative process and issues affecting the board.*
- *Examine all available evidence before making a judgment.*
- *Communicate well and participate in group discussions.*
- *Are aware that authority to act is granted to the board as a whole, not to individual members.*
- *Exhibit a willingness to work with the group in making decisions.*
- *Recognize that compromise may be necessary to reach consensus.*
- *Do not let personal feelings toward other board members or staff interfere with their judgment.*

Seattle Arts Commission & Office of Arts & Culture Budget

City of Seattle Budget Process Summary

In its simplest terms, the City budget is:

- **proposed by the Mayor (Executive);**
- **checked for compliance with the law (City Attorney);**
- **amended and passed by the City Council (Legislative);**
- **returns to the Mayor for approval and signature**

The budget itself is composed of two main documents: an operating budget and a capital improvement program (CIP) budget. The CIP budget consists of large expenditures on infrastructure and other capital projects. The operating budget is primarily composed of expenditures required by the City to deliver the day-to-day array of City services.

ARTS Budget Summary

The Office of Arts & Culture (ARTS) is funded primarily by Admission Tax revenue and the 1% for Art Program. This funding supports arts-related programs and capital expenditures to keep artists living and working in Seattle, builds community through arts and cultural events and the placement of public art, and increases arts opportunities for youth. ARTS commits to an anti-racist work practice that centers the creativity and leadership of LGBTQIA+ and Black, Indigenous, and People of Color (BIPOC)– those most impacted by structural racism – to move toward systems that benefit us all.

In 2022, ARTS shifted to using current year revenue to develop its budget, a change from the pre-pandemic practice of basing appropriations on revenue collected from two years prior. This new funding structure allowed ARTS to avoid 2020's COVID-induced revenue shortfalls in 2022. ARTS developed its 2023-2024 Proposed Budget using forecasted Admission Tax revenue. As the city began to recover from the economic impacts of COVID-19, and events slowly returned to operate at pre-pandemic levels, the forecasted revenues for the Admissions Tax increased. This forecasted increase allows ARTS to include modest adjustments to their operating budget. To protect against fluctuations in revenue actuals, the Arts and Culture Fund is required to maintain an operating reserve set at 20% of its operating budget.

Timeline & SAC Involvement/Advocacy

February – April

- Prepare budget priorities letter. By May 1 of each year **the Arts Commission shall submit a letter to the Mayor** on its priorities for the funds solely allocated for the use of ARTS for the following budget year.

May 1

- Budget priorities letter due to Mayor

June

- Department budget submittals due to Mayor first week of June

September

- Mayor presents the Proposed Budget and CIP to City Council on the last Monday of the month.

September – November

- **Within 15 days of the Mayor's presentation of the proposed budget, the Arts Commission shall submit a letter to City Council** on the proposed ARTS budget, including how the proposed budget reflects the funding priorities set forth in the budget priorities letter to the Mayor.
- Council develops a list of issues for review during October and November.
- During Council's review period, the Arts Commission should keep an eye on City Council's website as they open up their meetings for public comment and advance sign-up is required to do so. **The Arts Commission should share its funding priorities with community/networks and invite them to participate in public comment.**

November – December

- Council adopts operation budget and CIP.

Additional Info

- For more information on the City's budget visit this link: <https://www.seattle.gov/city-budget-office/budget-archives/2023-2024-proposed-budget>
- For budget-specific questions, you may reach out to ARTS' Finance Manager Allie McGehee at alexandra.mcgehee2@seattle.gov

City of Seattle Boards & Commissions Information

Main Point of Contact:

Thao Madsen, Boards & Commissions Program Manager

Office of the City Clerk

thao.madsen@seattle.gov

206-684-8152

Seattle Arts Commission Liaison:

Allie Lee, Executive Assistant

Office of Arts & Culture

allie.lee@seattle.gov

206-733-9378

Seattle Arts Commission By-Laws

ARTICLE I

Organization

Membership	Sec. 1	The Seattle Arts Commission will be composed of 16 members; 15 members will be appointed to serve for two years beginning on January 1 and one member will be selected through the YMCA's "Get Engaged" program to serve for one year beginning on September 1.
Appointment	Sec. 2	The Commission, in consultation with the Mayor's Office and/or the City Council if requested, will publicly solicit nominations to fill vacant positions, review applicants' credentials, and make recommendations. Applicants should be committed to programs and objectives of the Office of Arts & Culture. Membership as a whole should represent, as much as is possible, the diversity of Seattle's cultural community and the city's demographics. Membership may include, but is not limited to professional artists, arts educators, art administrators, and arts advocates.
Attendance	Sec. 3	Attendance at Commission and committee meetings is expected. Commissioners are required to inform the office of anticipated absences. In the event of three or more absences in a year, the Chair and/or the Director will take appropriate action, including, but not limited to, recommending removal from the commission.
Leave Policy	Sec. 4	Subject to majority vote by the Commission, a Commissioner may take a leave of absence for personal or professional reasons and temporarily be removed for the Commission service for up to 12 months, relinquishing voting privileges and committee chair or co-chair positions; and resume their Commission position in full for the same amount of time as leave taken or until the end of that calendar year. An interim, At-Large Commissioner may be appointed by the Commission for the duration of the leave or until the end of that calendar year; the selected At-Large Commissioner is not precluded from serving a full term on SAC if appointed to serve a normal term of Commission service.
Removal	Sec. 5	The Mayor may remove any appointed members subject to confirmation by a majority of the City Council.
Extension of Time	Sec. 6	Terms may be extended to accommodate scheduling and the confirmation of new commission appointees.
Vacancies	Sec. 7	Vacancies will be filled for unexpired terms in a manner similar to original appointment.

Officers	Sec. 8	A Chair or Co-Chairs will be appointed annually by the commissioners in consultation with the Director. The Chair or Co-Chairs will appoint committee chairs, subject to the approval of the full Commission.
Duties of Chair	Sec. 9	<p>The Chair shall exercise general supervision over the Commission's business and affairs, performing all the duties incidental to the office and those required by the Charter of the City of Seattle, law, ordinance, and these by-laws, as well as those duties that are properly delegated by the Commission.</p> <p>S/he will preside at all meetings and have those powers generally assigned such an officer. S/he will act as spokesperson for the Commission and as its representative at meetings with other organizations and committees unless such representation is otherwise authorized by the Commission. The Chair may, however, delegate to any Commission member or the staff performance of any duties imposed by this section. No pronouncement made as spokesperson or representative will obligate or commit the Commission except as provided by these by-laws or unless authorized by the Commission.</p> <p>The Chair may adjust, for good and sufficient reason, the regular convening time of meetings and hearings as set forth in these by-laws. Every effort will be made to advise, at least twenty-four (24) hours in advance of adjusted convening time, each Commission member, the press, and the public.</p>
Committees	Sec. 10	The Commission, by resolution adopted by a majority of Commissioners, may designate or appoint one or more standing or ad-hoc committees, each of which shall consist of two or more Commissioners. Such committees shall have and exercise the authority of the Commissioners in support of the Commission. The designation and appointment of any such committee and delegation thereto of authority shall not relieve the Commission or any individual Commissioner of any responsibility imposed upon him or her by appointment.
Chair Ex-officio	Sec. 11	The Chair serves ex-officio on all committees.
Representatives	Sec. 12	With the approval of the Commission, the Chair may designate representatives from the Commission and staff, or other individuals with the appropriate qualifications, to serve on special purpose committees or organizations, as is deemed necessary. Such representation shall be in an advisory or observation capacity only. When such representatives are appointed, their duties and terms will be defined in writing and attached to these by-laws.
Act as Body	Sec. 13.	The Commission acts as a body in making its decisions announcing them. No member may use agency letterhead or speak or act for the Commission without prior authorization from the Chair.

Special Meetings Sec. 6 Special meetings of the Commission may be held whenever and wherever the Commission may determine. The Chair may call such meetings. The Chair will issue such a call upon the written request of five (5) or more Commission members.

Committee Meetings Sec. 7 Committee meetings are open to the public and will be held at the Commission offices unless reason exists to hold them at another location. Meetings will be scheduled in advance by the Committee Chair, in consultation with staff; an agenda will be prepared at the direction of the Chair and its substance conveyed to all Commissioners, and public notice given.

ARTICLE III

Records, Publications, and Reports

Books & Records Sec. 1 All books and records of the Commission will be open to public inspection.

Annual Report Sec. 2 The Commission will annually request that the Director make a report to the Mayor and City Council outlining the Commission's goals and objectives, and progress toward achieving them; describing its programs and the amount of business transacted; and containing recommendations as to any legislation deemed necessary or advisable by the Commission to improve the service rendered by the Office of Arts & Culture.

Members of the Commission will be given an opportunity to review the draft of the annual report.

Meeting Minutes Sec. 3 Minutes of all Commission public meetings will be promptly recorded and maintained and available for public inspection.

Meeting Minutes Sec. 4 Meeting minutes will consist primarily of a record of action taken and shall be framed generally in accord with Robert's Rules of Order Newly Revised.

Minutes of each meeting will be subject to approval by the Commission and will be signed by the Chair. Minutes in proposed form for any particular meeting will be forwarded to each Commission member prior to the subsequent meeting for appraisal and action at such subsequent meeting.

Sec. 5 By May 1 of each year the Commission shall submit a written report to the Director of the Office of Arts and Culture on its priorities for the funds solely allocated for the use of the Office of Arts and Culture for the following budget year.

Sec. 6 Within fifteen (15) days of the Mayor's presentation of the proposed budget the Commission shall provide the City Council with written comments on the proposed Office of Arts and Culture's budget, including how the proposed budget reflects the funding priorities set forth in the Commission's written report to the Director as more fully described in Section 5 immediately above.

ARTICLE IV

Accounting
and Funds

Annual
Budget

Sec. 1 The Commission will review the annual budget submitted by the Director to the City Budget Office.

The Chair of the Commission and the Director will represent the Commission at the City Council budget hearings.

Sec. 2 The Commission shall comment on the draft policies developed by the Office of Arts and Culture concerning the use of Arts Account funds prior to those draft policies being submitted to the City Council for formal review and consideration.

ARTICLE V

Adoption
and Revision
of By-Laws

Adoption

Sec. 1 The Commission will adopt these by-laws for the conduct of its business. Copies of such by-laws shall be made available for public inspection.

Sec. 2 The rules contained in Robert's Rules of Order Newly Revised will govern this Commission in all cases to which they are applicable and in which they are not inconsistent with these by-laws.

Sec. 3 These by-laws, as adopted by the Commission, may be revised Or amended at any regular meeting by a vote of at least two-thirds (2/3) of the members of the Commission, provided that notification of such proposed revision or amendment had been made to Commissioners thirty (30) days prior to vote.

ARTICLE VI

Ethics

City Code of Ethics	Sec. 1	The Seattle Arts Commission complies with the provisions of the Code of Ethics of the City of Seattle.
Accepting Tickets	Sec. 2	Commissioners and staff may accept tickets according to the Commission's "Policy on Site Visits," adopted June 1992 and appended to these by-laws.
Ineligibility for Funding	Sec. 3	A Commissioner is not eligible to apply for funding, as an individual, from the Commission for one year from the date his/her term of office ends; nor to participate, as an individual, in any specific project developed for the Municipal Art Plan during his/her term of office.
Panels	Sec. 4	Commissioners shall not be paid for any services.

Seattle Arts Commission Ordinance

Information retrieved on April 15, 2011 2:37 PM from
<http://clerk.seattle.gov/search/ordinances/121006>
(City of Seattle Legislative Information Service)

Council Bill Number: 114400

Ordinance Number: 121006

AN ORDINANCE relating to the organization of City government; creating an Office of Arts and Cultural Affairs in the Executive Department; abolishing the existing Seattle Arts Commission and creating a new Seattle Arts Commission; transferring some of the functions of the existing Seattle Arts Commission to the Office of Arts and Cultural Affairs and transferring some of its functions to the new Seattle Arts Commission; amending Chapter 3.14 and various other parts of the Seattle Municipal Code in connection therewith; authorizing the transfer of certain positions and incumbents; and repealing sections in chapter 3.56 of the Seattle Municipal Code.

Date introduced/referred: Nov 12, 2002

Date passed: Nov 18, 2002

Status: Passed

Vote: 9-0

Date filed with the City Clerk: Nov 26, 2002

Date of Mayor's signature: Nov 26, 2002

[\(about the signature date\)](#)

Note: Music and Youth Commission

Committee: Budget

Sponsor: LICATA

Index Terms: GOVERNMENTAL-REORGANIZATION, SEATTLE-ARTS-COMMISSION, BOARDS-AND-COMMISSIONS, CITIZENS-ADVISORY-COMMITTEES, BUDGET, FINANCE, ARTS, CULTURAL-ACTIVITIES, PERFORMING-ARTS, VISUAL-ARTS, YOUTHS, FUNDS, PUBLIC-REGULATIONS, PUBLIC-ADMINISTRATION, OFFICE-OF-ARTS-AND-CULTURAL-AFFAIRS

Fiscal Note: [Fiscal Note to Council Bill 114400](#)

Text

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AN ORDINANCE relating to the organization of City government; creating an Office of Arts and Cultural Affairs in the Executive Department; abolishing the existing Seattle Arts Commission and creating a new Seattle Arts Commission; transferring some of the functions of the existing Seattle Arts Commission to the Office of Arts and Cultural Affairs and transferring some of its functions to the new Seattle Arts Commission; amending Chapter 3.14 and various other parts of the Seattle Municipal Code in connection therewith; authorizing the transfer of certain positions and incumbents; and repealing sections in chapter 3.56 of the Seattle Municipal Code.

WHEREAS, since its creation in 1971, the Seattle Arts Commission has stimulated a diverse and lively arts environment drawing on the full potential of artists, reflecting and responding to civic concerns and aspirations, and enriching the lives of all members of our community; and

WHEREAS, the City recognizes the importance of the arts to young people, to economic growth, to the vitality of neighborhoods and communities, and to Seattle residents and visitors; and

WHEREAS, Seattle is a lively center of creative artistic expression in

many forms and is home to innovative arts and cultural communities embracing all disciplines; and

WHEREAS, the City wishes to elevate the visibility and increase the effectiveness of the City's arts services within all of City government; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

ESTABLISHMENT OF NEW OFFICE

Section 1. Effective January 1, 2003, there is created within the Executive Department an Office of Arts and Cultural Affairs.

Section 2. Effective January 1, 2003, some of the functions of the Seattle Arts Commission are transferred to the Office of Arts and Cultural Affairs as set forth in this ordinance.

Section 3. Effective January 1, 2003, the Executive Director of the Seattle Arts Commission shall be the Director of the Office of Arts and Cultural Affairs.

Section 4. Effective January 1, 2003, the existing Seattle Arts Commission is abolished, and a new Seattle Arts Commission is created as set forth in this ordinance. From and after January 1, 2003, references in the Seattle Municipal Code and in other ordinances to the "Seattle Arts Commission" shall refer to the Seattle Arts

Commission created by this ordinance. The current commissioners who, absent this ordinance, would be members of the existing Seattle Arts Commission as of January 1, 2003, (hereafter referred to as the "current commissioners") shall, as of January 1, 2003, be members of the new Seattle Arts Commission created by this ordinance, as follows: the positions on the new Seattle Arts Commission shall be numbered from one (1) through fifteen (15), and the current commissioners shall be taken in alphabetical order by last name and shall commence new terms on the new Seattle Arts Commission beginning January 1, 2003 in positions starting with position one through however many current commissioners there are.

Section 5. Effective January 1, 2003, the Director of the Department of Finance, under the authority of the Mayor, shall transfer the assets and liabilities existing on January 1, 2003, from the Seattle Arts Commission to the Office of Arts and Cultural Affairs, in order to effectuate this ordinance.

Section 6. Effective January 1, 2003, Seattle Arts Commission staff position incumbents shall transfer along with their respective positions to the Office of Arts and Cultural Affairs, to the extent that those positions appear in the position list that is adopted with the City's 2003 Budget.

Section 7. Effective January 1, 2003, the following sections are added to the Seattle Municipal Code Chapter 3.14 under a new Subchapter VI.

Subchapter VI. Office of Arts and Cultural Affairs

SMC 3.14.800 Office established-Purpose and Functions

There is established in the Executive Department an Office of Arts and Cultural Affairs, under the direction of the Mayor, to stimulate a diverse and lively arts and cultural environment that draws on the full potential of artists across a broad cultural spectrum, reflects and responds to civic concerns and aspirations, and enriches the lives of all members of our community. The functions of the Office of Arts and Cultural Affairs shall include the following:

A. Assist the City in the development of high quality arts and cultural programs and services, and promote Seattle as a capital of creativity and innovation;

B. Advise the City on arts and cultural policy;

C. Develop arts and cultural initiatives to encourage greater

participation in, and increased public access to, arts and culture in Seattle. Such programs and initiatives may include partnerships with other City agencies, as well as other public or private entities;

D. Administer and implement the City of Seattle's Municipal Arts Fund, including the "One Percent (1%) for Art" appropriations;

E. Provide information and resources to artists and arts and cultural organizations; and

F. Promote Seattle's artistic and cultural assets in music, visual arts, performing arts, literary arts, and media arts.

SMC 3.14.810 Director-Appointment and Removal

The Director of the Office of Arts and Cultural Affairs shall be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council, and may be removed by the Mayor upon his or her filing a statement of reasons therefor with the City Council.

SMC 3.14.815 Director-Duties

The Director of the Office of Arts and Cultural Affairs shall be the

head of and responsible for the administration of the Office of Arts and Cultural Affairs. Under the direction of the Mayor, the duties of the Director of the Office of Arts and Cultural Affairs shall include the following:

- A. Subject to the City's personnel ordinances and rules, appoint, assign, supervise, control, and remove all officers and employees in the Office of Arts and Cultural Affairs;
- B. Prepare and update annually a Municipal Arts Plan, as required by SMC 20.32.040;
- C. Manage the preparation of the preliminary proposed budget for the Office of Arts and Cultural Affairs subject to review and comment by the Seattle Arts Commission, authorize necessary expenditures and enter into contracts for professional and expert services in accordance with the adopted budget, develop and manage programs, and undertake authorized activities;
- D. Administer all ordinances pertaining to the Office of Arts and Cultural Affairs and its functions;
- E. Execute, administer, modify and enforce such agreements and instruments as he or she shall deem reasonably necessary to implement arts and culture programs consistent with all applicable laws and ordinances, as he or she shall deem appropriate for carrying out the responsibilities, functions, and activities of the Office of Arts and

Cultural Affairs; apply for grants and donations for departmental programs; and solicit and use volunteer services;

F. Serve, in conjunction with other affected members of the Mayor's Cabinet, as the City's representative to intergovernmental and public-private boards, commissions, organizations, and committees engaged in issues pertaining to arts and culture;

G. Provide staff support for all commissions associated with the Office of Arts and Cultural Affairs;

H. Consult with and report regularly to the commissions associated with the Office of Arts and Cultural Affairs on the workings of the Office, and attend, either in person or by designated representative, all regular meetings of the commissions;

I. Make periodic reports to the Mayor and City Council concerning the activities of the Office of Arts and Cultural Affairs and programs for the arts and culture, generally;

J. Promulgate and amend, in accordance with the City Administrative Code, SMC Chapter 3.02, rules and regulations to carry out Office of Arts and Cultural Affairs activities; and

K. Exercise such other and further powers and duties as shall be

prescribed by ordinance.

SMC 3.14.820 Seattle Arts Commission-Established

There is established a Seattle Arts Commission to promote and encourage public programs to further the development and public awareness of and interest in arts and culture and to act in an advisory capacity to the City in connection with the artistic and cultural development of Seattle.

SMC 3.14.825 Seattle Arts Commission-Membership and Officers

The Seattle Arts Commission shall consist of fifteen (15) members. Except as provided for some initial terms in Section 4 of this ordinance, seven (7) members shall be appointed by the City Council, seven (7) members shall be appointed by the Mayor, and the fifteenth member shall be appointed by the Commission as constituted. Positions on the Seattle Arts Commission shall be numbered from one (1) through fifteen (15). For purposes of filling vacancies, odd-numbered positions from position one (1) through position thirteen (13) shall be Mayor-appointed positions and even-numbered positions shall be Council-appointed positions. Each member shall serve for a term of two (2) years, with an option for renewal, not to exceed three (3) terms or six (6) years; provided that for positions one (1) through seven (7), the initial terms shall be one (1) year, and these initial terms shall not count toward the three (3)-term or six (6)-year maximum. Membership shall reflect Seattle's artistic, cultural, and

geographic diversity, and include members from the community at large. The Commission shall elect from its members such officers as it shall deem necessary; provided, that a Chairperson shall be elected by a simple majority of the members for a one (1) year term.

In addition to the members set forth above, one (1) designated young adult position shall temporarily be added to the Seattle Arts Commission pursuant to the Get Engaged Program, SMC Chapter 3.51. The terms of service related to the young adult member's role on this Commission are set forth in SMC 3.51. The Get Engaged Program and all provisions related to this young adult position will terminate as of August 31, 2003.

SMC 3.14.830 Seattle Arts Commission-Duties

The Seattle Arts Commission shall have the following duties:

A. Promote greater public participation in, and access to, arts and culture;

B. Advocate for the role of arts and culture in civic life, and for the value of arts in education;

C. Encourage donations and grants to the Civic Arts Account of the

General Donation and Gift Fund and advise the Director of the Office of Arts and Cultural Affairs regarding the receipt and expenditure of such funds;

D. Advise the City concerning the receipt of or purchase of works of art to be placed on municipal property, except for museums or art galleries or works of art placed or to be placed in connection with projects reviewed by the Seattle Design Commission;

E. Advise and assist the City in connection with such other artistic activities as may be referred to it by the City;

F. Review the preliminary proposed budget for the Office of Arts and Cultural Affairs as prepared by the Director of the Office of Arts and Cultural Affairs, and comment as appropriate before the budget is submitted to the Mayor;

G. Initiate, sponsor or conduct, alone or in cooperation with other public or private agencies, public programs to further the development and public awareness of, and interest in, the fine and performing arts;

H. Hold regular public meetings and keep a written record of its proceedings which shall be a public record; and

I. Adopt administrative rules and procedures necessary to accomplish

its purposes.

SMC 3.14.840 Deaccessioning and disposition of surplus artworks.

A. When the Seattle Arts Commission determines that an artwork is surplus to the City's collection of artworks, the Commission may deaccession the same and arrange for its disposition through an exchange of the artwork for one (1) or more other artwork(s) of comparable aggregate value for the City's collection, with the City being responsible for the payment or receipt of any monetary difference between the value of the City's artwork and the aggregate value of such exchanged artwork(s); through a sale by an art gallery or dealer; through a public auction or process inviting bids or proposals from the public and the acceptance of the best response; through the Director of Executive Administration in the same manner as other surplus property; through an indefinite loan to another governmental entity on condition that the receiving entity will maintain the artwork and provide an accompanying notice of the City's retained ownership; or through redonation, sale or other arrangement agreed upon with the donor or artist at the time of the City's acquisition of such artwork; and, in the event the artwork has been destroyed or damaged beyond repair at a reasonable cost, or has no or only a negligible value, it may be disposed of as scrap.

B. If an artwork was donated to the City on condition that the

artwork be returned or transferred to another person or entity when it is no longer displayed or ceases to be a part of the City's collection, upon the occurrence of circumstances making such condition applicable, the Seattle Arts Commission shall request directions from the donor or the donor's representative(s), as appropriate, and return the artwork to the donor or transfer the artwork consistent with the terms of such condition, if such condition applies, and the directions of the donor or the donor's representative.

C. In the event the artist has reserved a right to repurchase the artwork when the City's artwork is to be disposed of, the Seattle Arts Commission shall allow the artist a reasonable opportunity to buy it back at its fair market value, as determined by appraisal.

Alternatively, the Commission may accept the exchange of the artwork for one (1) or more other artwork(s) that the Commission is willing to include in the City's collection and that has/have an aggregate appraised value equal to the fair market value of the City's artwork.

D. The Office of Arts and Cultural Affairs may implement, in connection with the deaccessioning of any artwork in the City's collection, a written commitment made to the creator or donor of any artwork at the time such artwork is commissioned, purchased, donated, or otherwise procured for the City's collection, to share with such creator or donor a portion of the proceeds of the sale of such artwork upon its deaccessioning and removal from the City's collection if such sale proceeds, after the deduction therefrom of all of the expenses related to such sale, exceed the amount paid by the City for such

artwork by at least Two Hundred Dollars (\$200) and the portion of such proceeds that is provided to the creator or donor under such commitment does not exceed fifteen (15) percent of such proceeds.

E. No artwork shall be deemed surplus to the City's collection of artworks if the City administrative unit responsible for administration of the fund used to acquire the same requests its retention and the City's legislative authority provides for the continued maintenance of such artwork.

SMC 3.14.845 Application of proceeds of sale of artwork.

A. The proceeds from the sale of a purchased artwork, after deducting the expenses of the sale and any percentage share due to the artist, as authorized by subsection D of this section, shall be deposited to the credit of the fund from which the expenditure was originally made to acquire the artwork.

B. Any work of art that is an asset of a revenue bond or voter-approved general obligation bond fund may be replaced by exchange for one (1) or more other works of art or an aggregate equivalent value, and may not be disposed of as surplus or deaccessioned property without being so replaced until after the redemption date for all bonds of the particular bond issue that served as the revenue source for the acquisition of such work of art.

C. The proceeds from the sale of an artwork that had been donated

to the City shall be deposited and expended in accord with the donor's direction accompanying the gift, and in the absence of such instructions, to the Municipal Arts Fund for use in acquiring other artworks.

D. The Office of Arts and Cultural Affairs is authorized to enter into contractual agreements committing the City to provide the creator of an artwork to be acquired for the City's collection, upon such artwork's subsequent deaccessioning and offering for sale, (1) a first right to purchase such artwork, and (2) up to fifteen (15) percent of the net proceeds of such sale if, following the deduction and payment of all sale-related expenses, such net proceeds equal or exceed Two Hundred Dollars (\$200).

AMENDMENTS TO OTHER MUNICIPAL CODE SECTIONS

Section 8. Effective January 1, 2003, Section 5.40.120 of the Seattle Municipal Code (pertaining to Admission Tax) is amended as follows:

SMC 5.40.120 Receipts to General Subfund and Arts Account.

All receipts from the admission tax levied in this chapter shall be placed in the General Subfund of the General Fund, except that from and after January 1, 2001, twenty (20) percent of all admission tax receipts, other than receipts generated by men's professional basketball games and, during 2001, by men's professional football

games, and men's professional baseball games, shall be deposited into the Arts Account of the General Subfund of the General Fund. Money in the Arts Account of the General Subfund shall be annually appropriated to the Office of Arts and Cultural Affairs for the following purposes:

A. Initiatives to keep artists living, working and creatively challenged in Seattle;

B. Initiatives to build community through the arts and create opportunities for the public to intersect with artists and their work; and

C. For each new generation, initiatives that include art opportunities for youth in and out of school.

Section 9. Effective January 1, 2003, Section 5.78.030 of the Seattle Municipal Code (pertaining to the City's Gift Catalogue program) is amended as follows:

SMC 5.78.030 Expenditures -

Office of Arts and Cultural Affairs

The Director of the Office of

Arts and Cultural Affairs is authorized to direct expenditures for the donations made to the Office of Arts and Cultural Affairs programs (formerly known as Seattle Arts Commission programs in the City's Gift Catalogue as designated by the donor; and the City Director of Executive Administration is authorized to draw and to pay warrants against said program accounts or subaccounts on vouchers approved by said Commission as to payee and purpose. If the applicable fund is solvent at the time payment is ordered, the Director of Executive Administration may elect to make payment by check.

Section 10. Effective January 1, 2003, Subsection 6.295.190(A) of the Seattle Municipal Code (pertaining to All-Ages Dances and Dance Venues) is amended as follows:

SMC 6.295.190 Music and Youth Commission-Composition and Authority

A. There is established a twelve (12)-member Music and Youth Commission. The Music and Youth Commission shall be housed and ~~or such other department or office as the Mayor shall designate.~~ Six (6) Commission members shall be appointed by majority vote of the City Council, and six (6) Commission members shall be appointed by the Mayor, as follows:

Section 11. Effective January 1, 2003, Section 20.32.020 of the Seattle Municipal Code (pertaining to Art in Public Works

Construction) is amended as follows:

SMC 20.32.020 Definitions.

A. "Office" means the Office of Arts and Cultural Affairs.

~~A.~~ B. "Commission" means the Seattle Arts Commission.

~~B.~~ C. "Construction project" means any capital project paid for wholly or in part by the City to construct or remodel any building, structure, park, utility, street, sidewalk, or parking facility, or any portion thereof, within the limits of The City of Seattle.

~~C.~~ D. "Eligible fund" means a source fund for construction projects from which art is not precluded as an object of expenditure.

~~D.~~ E. "Municipal Arts Plan" means the plan required by Section 20.32.040 A.

~~E.~~ F. "Administrative costs" means all costs incurred in connection with the selection, acquisition, installation and exhibition of, and publicity about, City-owned works of art.

Section 12. Effective January 1, 2003, Section 20.32.030 of the Seattle Municipal Code (pertaining to Art in Public Works

Construction) is amended as follows:

SMC 20.32.030 Funds for works of art.

All requests for appropriations for construction projects from eligible funds shall include an amount equal to one (1) percent of the estimated cost of such project for works of art and shall be accompanied by a request from the Office of Arts and Cultural Affairs for authorization to expend such funds after the same have been deposited in the Municipal Arts Fund. When the City Council approves any such request, including the one (1) percent for works of art, the appropriation for such construction project shall be made and the same shall include an appropriation of funds for works of art, at the rate of one (1) percent of project cost to be deposited into the appropriate account of the Municipal Arts Fund. Money collected in the Municipal Arts Fund shall be expended by the Office of Arts and Cultural Affairs for projects as prescribed by the Municipal Arts Plan, and any unexpended funds shall be carried over automatically for a period of three (3) years, and upon request of the Office of Arts and Cultural Affairs, carried over for an additional two (2) years. Any funds carried over for three (3) years, or upon special request for five (5) years, and still unexpended at the expiration of such period shall be transferred to the General Fund for general art purposes only; provided, that funds derived from revenue or general obligation bond issues or from utility revenues or other special purpose or dedicated

funds shall revert to the funds from which appropriated at the expiration of said three (3) or five (5) year period.

Section 13. Effective January 1, 2003, Section 20.32.040 of the Seattle Municipal Code (pertaining to Art in Public Works Construction) is amended as follows:

SMC 20.32.040 Office of Arts and Cultural Affairs-Authority

~~Commission~~ Office of Arts and Cultural Affairs shall:

A. Prepare, adopt and amend with the Mayor's approval a plan and guidelines to carry out the City's art program, which shall include, but not be limited to, a method or methods for the selection of artists or works of art and for placement of works of art;

B. Authorize purchase of works of art or commission the design, execution and/or placement of works of art and provide payment therefor from the Municipal Arts Fund. The Office of Arts and Cultural Affairs shall advise the department ~~Commission's~~ Office's decision, in consultation with the Seattle Arts Commission, regarding the design, execution and/or placement of a work of art, funds for which were provided by the appropriation for such construction project;

C. Require that any proposed work of art requiring extraordinary

operation or maintenance expenses shall receive prior approval of the department head responsible for such operation or maintenance;

D. Promulgate rules and regulations consistent with this chapter to facilitate the implementation of its responsibilities under this chapter.

Section 14. Effective January 1, 2003, Section 20.32.050 of the Seattle Municipal Code (pertaining to Art in Public Works Construction) is amended as follows:

SMC 20.32.050 Municipal Arts Fund.

There is established in the City Treasury a special fund designated "Municipal Arts Fund" into which shall be deposited funds appropriated as contemplated by Section 20.32.030, together with such other funds as the City Council shall appropriate for works of art, and from which expenditures may be made for the acquisition and exhibition of works of art consistent with the plan specified in Section 20.32.040A, and for Office of Arts and Cultural Affairs staff costs and administrative costs (as defined in SMC Section 20.32.020~~F~~) that are associated with developing and implementing the Municipal Arts Plan, but not the cost of maintaining City-owned art work, which maintenance cost may be paid from the Cumulative Reserve Subfund or such other source(s) as may be specified by ordinance. Separate accounts shall be established within the Municipal Arts Fund to segregate receipts by

source or, when so directed by the City Council, for specific works of art. Disbursements from such fund shall be made in connection with projects approved by the Seattle Arts Commission on vouchers approved by the Director of the Office of Arts and Cultural Affairs .

Section 15. Effective January 1, 2003, Subsection 22.900A.040 (B) (5) of the Seattle Municipal Code (pertaining to Building and Construction Code Permit Fees) is amended as follows:

SMC 22.900A.040 Administration and enforcement.

B. The Director is authorized to administer, interpret, and enforce the provisions of this subtitle provided, that:

5. The Director of the Office of Arts and Cultural Affairs shall administer, interpret and enforce ~~Commission~~ the Office's review of projects.

Section 16. Effective January 1, 2003, Section 22.900G.040 of the Seattle Municipal Code (pertaining to Building and Construction Code Fees Collected for Other Departments) is amended as follows:

SMC 22.900G.040 Fees for review by the Office of Arts and Cultural Affairs.

The fee for services furnished by the
Office of Arts and Cultural Affairs is Fifty Dollars (\$50) per
hour. The minimum charge is Two Hundred Dollars (\$200).

REPEALED

Section 17. Effective January 1, 2003, the following sections or
subsections of the Seattle Municipal Code and the corresponding
ordinances or sections or parts of sections of ordinances,
respectively, are repealed:

3.56.010 Seattle Arts Commission-Commission Established-Membership

3.56.020 Seattle Arts Commission-Organization-Chairman

3.56.030 Seattle Arts Commission-Powers and duties

3.56.040 Seattle Arts Commission-Executive Director-Appointment and
duties

3.56.060 Seattle Arts Commission-Deaccessioning and disposition of
surplus artworks

3.56.070 Seattle Arts Commission-Application of proceeds of sale of
artwork

MISCELLANEOUS PROVISIONS

Section 18. The headings in this ordinance are for reference purposes only. They have no legal effect, and shall not be codified.

Section 19. It is the express intent of the City Council that this ordinance makes only those changes to the existing sections of the Seattle Municipal Code or uncodified ordinances shown by striking out, inside double parentheses, text to be deleted, and underlining text to be added. To this end, errors in showing the preexisting Seattle Municipal Code or uncodified ordinances are to be disregarded, and no change in the Seattle Municipal Code is intended thereby.

Section 20. It is the express intent of the City Council that, in the event another ordinance has heretofore been enacted that amended any section or subsection of the Seattle Municipal Code amended or recodified herein, that earlier amendment should be effectuated with equal dignity to this ordinance if at all possible in the codification of the Seattle Municipal Code and by the courts, notwithstanding the use in this ordinance of an obsolete version of that part of the Seattle Municipal Code on which to show intended amendments.

Section 21. In the event any section or subsection of the Seattle Municipal Code purported to be amended or recodified herein has heretofore been repealed, the earlier repeal shall be given full effect, and nothing in this ordinance shall be construed to reenact or preserve that section or subsection.

Section 22. It is the express intent of the City Council that, in the event a subsequent ordinance refers to a position or office that was abolished by this ordinance, that reference shall be deemed to be to the new position or office created by this ordinance, and shall not be construed to resurrect the old position or office unless it expressly so provides by reference to this ordinance.

Section 23. It is the express intent of the City Council that, in the event a subsequent ordinance refers to or amends a section or subsection of the Seattle Municipal Code or a previously enacted ordinance that is amended or recodified herein, but the later ordinance fails to account for the change made by this ordinance, the two sets of amendments should be given effect together if at all possible.

Section 24. The several provisions of this ordinance are declared to be separate and severable and the invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 25. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 26. This ordinance shall take effect and be in force thirty

(30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2002, and signed by me in open session in authentication of its passage this ____ day of _____, 2002.

President _____ of the City Council

Approved by me this ____ day of _____, 2002.

Mayor

Filed by me this ____ day of _____, 2002.

City Clerk

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